

Message Text

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ACTION EUR-12

INFO OCT-01 ARA-10 NEA-10 ISO-00 CIAE-00 DODE-00 PM-04

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02

SS-15 USIA-15 SAM-01 SCCT-01 AID-05 CEA-01 COME-00

EB-07 FRB-01 CIEP-02 STR-04 TRSE-00 LAB-04 SIL-01

OMB-01 IO-11 DHA-02 ORM-02 /132 W

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R 280900Z JAN 76

FM AMCONSUL STRASBOURG

TO SECSTATE WASHDC 0849

INFO AMEMBASSY PARIS

US MISSION OECD PARIS

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AMEMBASSY BERN

AMEMBASSY BONN

AMEMBASSY LISBON

AMEMBASSY MADRID

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY BRUSSELS

USMISSION EC BRUSSELS

AMEMBASSY LUXEMBOURG

AMEMBASSY TEL AVIV

AMEMBASSY SANTIAGO

USMISSION NATO BRUSSELS

USUN NEW YORK 0039

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY OSLO

AMEMBASSY ANKARA

AMEMBASSY ATHENS

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TAGS: COE, PFOR, XG,

SUBJECT: RESUMPTION OF THE 27TH ORDINARY SESSION OF THE
CONSULTATIVE ASSEMBLY OF THE COUNCIL OF EUROPE

REF: VIENNA 0597

1. THE THIRD PART OF THE 27TH ORDINARY SESSION OF THE CONSULTATIVE ASSEMBLY COMMENCED ON JANUARY 26, CHAIRED BY ASSEMBLY PRESIDENT KARL CZERNETZ OF AUSTRIA (REFTTEL). AFTER ELECTING A JUDGE TO FILL THE VACANCY ON THE EUROPEAN COURT OF HUMAN RIGHTS, THE ASSEMBLY DISCUSSED REFUGEE PROBLEMS - SINGLING OUT THE CASE OF CHILEAN EXILES - AND THEN TURNED TO THE QUESTION OF THE PEACEFUL USE OF NUCLEAR ENERGY.
2. IN ACCORDANCE WITH THE RULES FOR THE ELECTION OF A MEMBER OF THE EUROPEAN COURT OF HUMAN RIGHTS, IN DECEMBER 1975 THE GOVERNMENT OF LUXEMBOURG NOMINATED THREE CANDIDATES TO FILL THE VACANCY CREATED BY THE DEATH OF JUDGE EUGENE RODENBOURG. IN YESTERDAY'S VOTE, HENRI DELVAUX WON THE SEAT BY A NARROW MARGIN OVER LEON LIESCH. (BIODATA: DELVAUX, 64, CURRENTLY SERVES AS ATTORNEY GENERAL AT LUXEMBOURG'S SUPREME COURT OF JUSTICE AND HAS BEEN ACTIVE IN THE PAST IN COUNCIL OF EUROPE LEGAL AFFAIRS.)
3. THE ASSEMBLY HAD HIGH PRAISE FOR A REPORT PREPARED BY MM. DANKERT (A MEMBER OF THE DUTCH LABOR PARTY) AND FORNI (A FRENCH SOCIALIST) WHICH CONTENDED THAT LARGE NUMBERS OF DE FACTO REFUGEES IN EUROPE ARE NOT RECOGNIZED AS REFUGEES UNDER THE INTERPRETATION MANY EUROPEAN GOVERNMENTS GIVE TO THE 1951 CONVENTION RELATING TO THE STATUS OF REFUGEES. ACCORDINGLY, THE ASSEMBLY INVITED MEMBER GOVERNMENTS "TO APPLY LIBERALLY THE DEFINITION OF 'REFUGEE' IN THE CONVENTION" OF 1951 AS AMENDED BY THE PROTOCOL OF 1967. MORE CONCRETELY, THE ASSEMBLY RECOMMENDED THAT THE COMMITTEE OF MINISTERS INSTRUCT THE COMPETENT COMMITTEE OF GOVERNMENT EXPERTS TO PREPARE AN APPROPRIATE INSTRUMENT, PREFERABLY AN AGREEMENT, WHICH WOULD AMELIORATE THE LEGAL AND SOCIAL CONDITION OF DE FACTO REFUGEES IN EUROPE. FURTHERMORE, AFTER HARSH CRITICISM OF THE PRESENT CHILEAN REGIME (PUNCTUATED BY BRITISH CONSERVATIVE MP HILARY MILLER'S STATEMENT THAT MM. DANKERT'S AND FORNI'S PRESENTATION UNCLASSIFIED UNCLASSIFIED

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OF THE CHILEAN CASE WAS "OUTSTANDINGLY CONTENTIOUS"), THE ASSEMBLY PASSED A SEPARATE RESOLUTION ON CHILEAN REFUGEES. NOTING ITS DEEP CONCERN ABOUT REPORTS OF POLITICAL REPRESSION IN CHILE, THE ASSEMBLY CALLED ON COUNCIL OF EUROPE MEMBER GOVERNMENTS TO FACILITATE THE ADMISSION AND RESETTLEMENT OF CHILEAN REFUGEES.

4. IN HIS REPORT TO THE ASSEMBLY ON THE ACTIVITIES OF THE OECD NUCLEAR ENERGY AGENCY, PAUL RIVIERE (A FRENCH GAULLIST) ARGUED THAT NUCLEAR ENERGY WILL INEVITABLY PLAY A GROWING ROLE

IN FILLING EUROPE'S ENERGY NEEDS. IN THIS CONNECTION, HE STRESSED THAT THE ENVIRONMENTAL, HEALTH, AND SAFETY PROBLEMS ATTACHING TO THE USE OF NUCLEAR ENERGY HAD BEEN GREATLY EXAGGERATED. RIVIERE CONCLUDED THAT IN ORDER TO DISPEL PUBLIC ANXIETY ABOUT NUCLEAR ENERGY, A POLICY OF FULL PUBLIC DISCLOSURE OF ANY INCIDENTS WHICH MAY OCCUR IN THE COURSE OF PEACEFUL USE OF NUCLEAR ENERGY WAS IMPERATIVE. ACCORDINGLY, THE ASSEMBLY RECOMMENDED THAT THE COMMITTEE OF MINISTERS URGE MEMBER GOVERNMENTS PUBLICLY TO DISSEMINATE REPORTS BY OECD'S NUCLEAR ENERGY AGENCY ON NUCLEAR ACCIDENTS OR INCIDENTS.

5. FINALLY, IN A WRITTEN DECLARATION, 31 MEMBERS OF THE ASSEMBLY (WHICH HAS ABOUT 150 DELEGATES) UNDERScoreD THEIR GRAVE CONCERN AT MOVEMENTS TO EXCLUDE ISRAEL FROM THE UN AND AT THE RESURGENCE OF ANTISEMITISM IN MANY FORMS. IN ORDER TO MITIGATE ISRAEL'S CURRENT DIPLOMATIC ISOLATION, THE SIGNERS OF THE DECLARATION CALLED ON THE COUNCIL TO ASSOCIATE ISRAEL MORE CLOSELY WITH ITS WORK.

(NOTE: THE ASSEMBLY AS A WHOLE WILL CONSIDER THE SITUATION OF THE JEWISH COMMUNITY IN THE SOVIET UNION ON JANUARY 28.)

6. COMPLETE DOCUMENTATION ON THIS WEEK' ASSEMBLY SESSION WILL BE SENT TO THE DEPARTMENT BY AIRGRAM AS IT IS PUBLISHED. ROMINE

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